



General Assembly

January Session, 2009

Raised Bill No. 713

LCO No. 2358

02358_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT CONCERNING DISCRIMINATORY LABOR PRACTICES AND
THE DEADLINE FOR FILING COMPLAINTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-82 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) Any person claiming to be aggrieved by an alleged
4 discriminatory practice, except for an alleged violation of section 4a-
5 60g or 46a-68 or the provisions of sections 46a-68c to 46a-68f, inclusive,
6 may, by himself or herself or by such person's attorney, make, sign and
7 file with the commission a complaint in writing under oath, which
8 shall state the name and address of the person alleged to have
9 committed the discriminatory practice, and which shall set forth the
10 particulars thereof and contain such other information as may be
11 required by the commission. After the filing of a complaint pursuant to
12 this subsection, the commission shall serve upon the person claiming
13 to be aggrieved a notice that: (1) Acknowledges receipt of the
14 complaint; and (2) advises of the time frames and choice of forums
15 available under this chapter.

16 (b) The commission, whenever it has reason to believe that any
17 person has been engaged or is engaged in a discriminatory practice,
18 may issue a complaint, except for a violation of subsection (a) of
19 section 46a-80.

20 (c) The commission, whenever it has reason to believe that any
21 contractor or subcontractor is not complying with antidiscrimination
22 statutes or contract provisions required under section 4a-60, 4a-60a or
23 4a-60g or the provisions of sections 46a-68c to 46a-68f, inclusive, may
24 issue a complaint.

25 (d) The commission may issue a complaint if: (1) An affirmative
26 action plan filed pursuant to section 46a-68 is in violation of any of the
27 provisions of section 4-61u or 4-61w, sections 46a-54 to 46a-64,
28 inclusive, section 46a-64c or sections 46a-70 to 46a-78, inclusive; or (2)
29 an agency, department, board or commission fails to submit an
30 affirmative action plan required under section 46a-68.

31 (e) Any employer whose employees, or any of them, refuse or
32 threaten to refuse to comply with the provisions of section 46a-60 or
33 46a-81c may file with the commission a written complaint under oath
34 asking for assistance by conciliation or other remedial action.

35 (f) Any complaint filed pursuant to this section must be filed within
36 one hundred [and] eighty days after the alleged act of discrimination,
37 except that any complaint by a person claiming to be aggrieved by a
38 violation of section 46a-60 or 46a-61 must be filed within one hundred
39 eighty days of the complainant's final pay period if the alleged act of
40 discrimination was ongoing or any complaint by a person claiming to
41 be aggrieved by a violation of subsection (a) of section 46a-80 must be
42 filed within thirty days of the alleged act of discrimination.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2009	46a-82
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Statement of Purpose:

To clarify the deadline for filing a complaint based upon unfair or discriminatory employment practices.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]